

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TERRANCE LEWIS

CIVIL ACTION

v.

HARRY WILSON, *et al.*

NO. 05-4864

ORDER

AND NOW, this 22 day of June, 2010, upon consideration of the Petition for Writ of Habeas Corpus, Petitioner's Initial and Supplemental Briefs in Support of his Petition, the Commonwealth's Response to the Petition and Response to the Supplemental Brief, inclusive of all exhibits thereto, the transcript of the evidentiary hearing conducted on April 29, 2009, Petitioner's trial brief, the Commonwealth's Post-Hearing Response, Petitioner's Reply thereto, the Commonwealth's Supplemental Post-Argument Brief, Petitioner's Response and Supplemental Post-Hearing Submission, the Commonwealth's Response thereto, Petitioner's Second Supplemental Post-Hearing Submission, the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, the Commonwealth's Objections to the Report and Recommendation, Petitioner's Objections to the Report and Recommendation, the Commonwealth's Response thereto, and the state court record, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DISMISSED and DENIED without any further evidentiary hearing;
3. A certificate of appealability is GRANTED with respect to Ground Seven; and
4. Petitioner has not shown that reasonable jurists would disagree with this court's disposition of his other claims. Consequently, a certificate of appealability is DENIED with respect to Grounds One, Two, Three and Six.

IT IS SO ORDERED.

BY THE COURT:

BERLE M. SCHILLER, J.